

§12863. Educational trip leader permit for schools and postsecondary educational institutions

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Educational institution" means a public school or private school, as those terms are defined in Title 20-A, section 1, a postsecondary educational institution or any other educational institution defined by the commissioner by rule under subsection 6. [PL 2021, c. 162, §9 (NEW).]

B. "Outdoor educational trip" means an educational or recreational outdoor trip conducted by an educational institution that includes nonmotorized boating or camping at a primitive camping area but does not include fishing, hunting, trapping or the use of snowmobiles, motorboats or all-terrain vehicles. [PL 2021, c. 162, §9 (NEW).]

[PL 2021, c. 162, §9 (NEW).]

2. Permit required. An educational institution conducting an outdoor educational trip shall provide for every 12 trip participants at least one educational trip leader who holds a permit under this section and who is associated with the educational institution or a person who holds a guide license issued under this chapter.

[PL 2021, c. 162, §9 (NEW).]

3. Prohibition. A person who does not hold a guide license issued under this chapter may not conduct an outdoor educational trip under subsection 2 without an educational trip leader permit issued under this section. Each day a person violates this subsection, that person commits a civil violation for which a fine of \$50 and an amount equal to twice the applicable license or permit fee may be adjudged.

[PL 2021, c. 162, §9 (NEW).]

4. Issuance of permit. The commissioner may issue or reissue an educational trip leader permit to a person who meets the qualifications established by the commissioner by rule under subsection 6 and who pays the fee established under subsection 5.

[PL 2021, c. 162, §9 (NEW).]

5. Fee. The initial qualifying fee for a 5-year educational trip leader permit is \$20. The permit may be renewed upon payment of \$20 if the requirements of this section, including requirements in rules adopted under subsection 6, are met.

[PL 2021, c. 162, §9 (NEW).]

6. Rules. The commissioner shall adopt rules to implement this section, including but not limited to rules establishing:

A. An advisory committee made up of persons with relevant expertise to advise the commissioner in the implementation of this section; [PL 2021, c. 162, §9 (NEW).]

B. Qualifications for a person seeking to obtain an educational trip leader permit, including appropriate preparatory training and any exceptions to such training based on a person's experience; [PL 2021, c. 162, §9 (NEW).]

C. Qualifications and other necessary standards or requirements relating to persons or entities providing preparatory training in accordance with paragraph B; [PL 2021, c. 162, §9 (NEW).]

D. Procedures for reviewing and addressing complaints against persons or entities providing preparatory training to persons seeking to obtain educational trip leader permits as well as complaints against educational trip leader permit holders; and [PL 2021, c. 162, §9 (NEW).]

E. Any other standards, conditions or procedures necessary for the effective implementation and enforcement of this section. [PL 2021, c. 162, §9 (NEW).]

Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[PL 2021, c. 162, §9 (NEW).]

7. Enforcement. Wardens of the department and the rangers of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry and Bureau of Parks and Lands may enforce this section and may terminate any trip that is considered unsafe or in violation of this section. The commissioner, who shall take into consideration the advice of the advisory committee established in accordance with subsection 6, paragraph A, shall establish standards for what is considered an unsafe trip and shall consider previous violations of this section when issuing or reissuing educational trip leader permits.

[PL 2021, c. 162, §9 (NEW).]

SECTION HISTORY

PL 2021, c. 162, §9 (NEW).

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